

HOUSE BILL 1953  
By Fitzhugh

AN ACT to amend Chapter 286 of the Private Acts of 1943; as amended by Chapter 265 of the Private Acts of 1961; and any other acts amendatory thereto, relative to the Charter of the town of Gates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 286 of the Private Acts of 1943; as amended by Chapter 265 of the Private Acts of 1961; and any other acts amendatory thereto, is amended by deleting Section 3 in its entirety and substituting instead the following language:

Section 3. Be it further enacted, That the first election for the Board of Mayor and Aldermen under this Act shall be on the first Thursday in June, 1997. The terms for those elected to the Board of Mayor and Aldermen on such date shall be four (4) years and until their successors are elected and qualified. Such newly elected officers shall qualify within ten (10) days after their certificates of election are issued, and in the event any one of them should fail to qualify within that time his office shall be declared vacant, and filled until the next regular election by the officers so elected and qualified. After the initial expiration of these terms, an election shall be called every first Thursday in June every four (4) years. Notice for the election shall be given in a newspaper in general circulation in the town of Gates, or, if a newspaper is published in the town, in such paper. Such notice shall be published for three (3) consecutive weeks prior to the election, the last publication being the week prior to the day of the election. The election shall be a general election pursuant to the general laws and regulations of the State of Tennessee.

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Once the election certificates of successful candidates have been issued they shall take an oath of office; the oath specifying that such candidates shall support the Constitution of the United States, the Constitution of the State of Tennessee, and perform the duties of office to the best of their ability. This oath may be taken before any officer or notary public in Lauderdale County, Tennessee authorized to administer oaths generally. Such oath shall be filed with the County Court of Lauderdale County, Tennessee.

No petition shall be required to be filed with the Lauderdale County Election Commissioners for such election to be called, unless the Election Commissioners inadvertently fail to call such election to be held on the dates as fixed above. In that event the Election Commissioner shall, upon petition being filed with the Chairman thereof, by ten citizens and qualified voters of the town of Gates who live within the corporate limits, call such election. The date of the election shall be designated far enough in advance to give the notice herein required for the regular election date. The special election shall be held on some Thursday and certificates issued to successful candidates as herein provided. Such elected, qualified officials shall only hold office until the next regular election date, and until their successors are elected and qualified.

SECTION 2. Chapter 286 of the Private Acts of 1943, as amended, is further amended in Section 7 by deleting the language:

The governing body is hereby authorized and empowered to levy and collect a tax on the taxable property of the city as stated above, provided that all levies, regardless of amount, heretofore made, are hereby authorized and ratified, and, provided, further that the rate shall never be increased more than \$1.50 per \$100.00 assessment for any given year.

and by substituting instead the following new language:

The governing body is hereby authorized and empowered to levy and collect a tax on the taxable property of the city as stated above. The rate for each year shall be set by resolution of the governing body.

SECTION 3. Chapter 286 of the Private Acts of 1943, as amended, is further amended in Section 8 by deleting the following language:

to elect a Board of Education for the municipality, as hereinafter provided, and whose duties are hereinafter defined;

SECTION 4. Chapter 286 of the Private Acts of 1943, as amended, is further amended by deleting Section 9 in its entirety and substituting instead the following new language:

(Reserved)

SECTION 5. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the town of Gates. Its approval or nonapproval shall be proclaimed by the presiding officer of the town of Gates and certified to the secretary of state.

SECTION 6. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 5.